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SENATE BILL 637

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY

Linda M. Lopez

AN ACT

RELATING TO PUBLIC EDUCATION; MANDATING THAT A SCHOOL DISTRICT
ESTABLISH A CALENDAR THAT INCLUDES THREE SESSIONS PER YEAR
UNLESS THE SCHOOL DISTRICT ALREADY OPERATES ON A YEAR-ROUND
CALENDAR.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 22-2-8.1 NMSA 1978 (being Laws 1986,
Chapter 33, Section 2, as amended) is amended to read:

"22-2-8.1. LENGTH OF SCHOOL DAY--MINIMUM.--

A. Except as otherwise provided in this section,
regular students shall be in school-directed programs,
exclusive of lunch, for a minimum of the following:

(1) kindergarten, for half-day programs, two
and one-half hours per day or four hundred fifty hours per year
or, for full-day programs, five and one-half hours per day or

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1 nine hundred ninety hours per year;

2 (2) grades one through six, five and one-half
3 hours per day or nine hundred ninety hours per year; and

4 (3) grades seven through twelve, six hours per
5 day or one thousand eighty hours per year.

6 B. Thirty-three hours of the full-day kindergarten
7 program may be used for home visits by the teacher or for
8 parent-teacher conferences. Twenty-two hours of grades one
9 through five programs may be used for home visits by the
10 teacher or for parent-teacher conferences.

11 C. A local school board shall establish three
12 sessions per calendar year for school attendance, each
13 separated by a break of a minimum of five school days, for a
14 school district with ten thousand or more students, unless the
15 school district currently operates on a year-round calendar.

16 [~~G.~~] D. Nothing in this section precludes a local
17 school board from setting length of school days in excess of
18 the minimum requirements established by Subsection A of this
19 section.

20 [~~D.~~] E. The [~~state superintendent~~] secretary may
21 waive the minimum length of school days in those districts
22 where such minimums would create undue hardships as defined by
23 the [~~state board~~] department."

24 Section 2. Section 22-8-9 NMSA 1978 (being Laws 1967,
25 Chapter 16, Section 63, as amended) is amended to read:

.177273.2

1 "22-8-9. BUDGETS--MINIMUM REQUIREMENTS.--

2 A. A budget for a school district shall not be
3 approved by the department that does not provide for:

4 (1) a school year consisting of at least one
5 hundred eighty full instructional days or the equivalent
6 thereof, exclusive of any release time for in-service training;
7 or

8 (2) a variable school year consisting of a
9 minimum number of instructional hours established by the [~~state~~
10 ~~board~~] department, except as provided in Subsection B of this
11 section; and

12 (3) a pupil-teacher ratio or class or teaching
13 load as provided in Section 22-10A-20 NMSA 1978.

14 B. A budget for a school district that has ten
15 thousand or more students shall not be approved unless it
16 establishes a school year consisting of three sessions
17 separated by a break of a minimum of five school days and a
18 minimum number of instructional hours established by the
19 department.

20 [~~B.~~] C. The [~~state board~~] department shall, by
21 rule, establish the requirements for an instructional day, the
22 standards for an instructional hour and the standards for a
23 full-time teacher and for the equivalent thereof."